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Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Sweden: draft resolution

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 66/62 of 2 December 2011,

Recalling with satisfaction the adoption and the entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects[1] and its amended article 1,[2] the Protocol on Non-Detectable Fragments (Protocol I),[1] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[1] and its amended version,[3] the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),[1] the Protocol on Blinding Laser Weapons (Protocol IV)[4] and the Protocol on Explosive Remnants of War (Protocol V),[5]

Noting the results of the Fourth Review Conference of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held from 14 to 25 November 2011 in Geneva,

Welcoming the results of the Thirteenth Annual Conference of the High Contracting Parties to Amended Protocol II, held on 11 November 2011 in Geneva,

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[1] United Nations, *Treaty Series*, vol. 1342, No. 22495.
[2] Ibid., vol. 2260, No. 22495.
[3] Ibid., vol. 2048, No. 22495.
[4] Ibid., vol. 2024, No. 22495.
[5] Ibid., vol. 2399, No. 22495.

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Welcoming also the results of the Fifth Conference of the High Contracting Parties to Protocol V, held on 9 and 10 November 2011 in Geneva,

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto, and welcoming the particular efforts of various international, non-governmental and other organizations in raising awareness of the humanitarian consequences of explosive remnants of war,

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects[1] and the Protocols thereto, as amended, with a view to achieving the widest possible adherence to these instruments at an early date and so as to ultimately achieve their universality;

2. *Calls upon* all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;

3. *Emphasizes* the importance of the universalization of the Protocol on Explosive Remnants of War (Protocol V);[5]

4. *Welcomes* the additional ratifications and acceptances of or accessions to the Convention, as well as the consents to be bound by the Protocols thereto;

5. *Acknowledges* the continued efforts of the Secretary-General, as depositary of the Convention and the Protocols thereto, the Chair of the Meeting of the High Contracting Parties to the Convention, the President of the Fifth Conference of the High Contracting Parties to Protocol V and the President of the Thirteenth Annual Conference of the High Contracting Parties to Amended Protocol II, on behalf of the High Contracting Parties, to achieve the goal of universality;

6. *Welcomes* the following decisions by the Fourth Review Conference of the High Contracting Parties to the Convention:

(a) The adoption of an accelerated plan of action to promote universality of the Convention and the Protocols thereto;

(b) The adoption of actions to enhance the implementation of the compliance mechanism for the Convention and its Protocols;

(c) The continuation of the Sponsorship Programme within the framework of the Convention;

and encourage States to contribute to the Sponsorship Programme;

7. *Recalls* the decision by the Fourth Review Conference of the High Contracting Parties to the Convention to continue the sponsorship programme within the framework of the Convention, and, with recognition of the value and importance of the programme, encourages States to contribute to the Sponsorship Programme;

8. *Notes* that the issue of the humanitarian impact of cluster munitions was examined extensively by the Fourth Review Conference in November 2011, on the

basis of the mandate agreed upon at the Meeting of High Contracting Parties in November 2010;

9. *Also notes* that the implementation of international humanitarian law with regard to mines other than anti-personnel mines was discussed further at an open-ended meeting of experts in April 2012, on the basis of a decision by the Fourth Review Conference of the High Contracting Parties to the Convention;

10. *Welcomes* the commitment by States parties to continue to contribute to the further development of international humanitarian law and in this context to keep under review both the development of new weapons and uses of weapons, which may have indiscriminate effects or cause unnecessary suffering;

11. *Also welcomes* the commitment of States parties to the Protocol on Explosive Remnants of War (Protocol V) to the effective and efficient implementation of the Protocol and the implementation of the decisions of the First and Second Conferences of the High Contracting Parties to the Protocol establishing a comprehensive framework for the exchange of information and cooperation;

12. *Notes* that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by existing Protocols or to review the scope and application of the Convention and the Protocols thereto and to examine any proposed amendments or additional protocols;

13. *Acknowledges* the work of the Implementation Support Unit within the Geneva Branch of the Office for Disarmament Affairs of the Secretariat, which was established following a decision by the 2009 Meeting of the High Contracting Parties to the Convention;

14. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for annual conferences and expert meetings of the High Contracting Parties to the Convention and of the High Contracting Parties to Amended Protocol II and Protocol V, as well as for any continuation of the work after the meetings;

15. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention, its amended article 1[2] and the Protocols thereto;

16. *Decides* to include in the provisional agenda of its sixty-eighth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".